



Convention on the Elimination
of All Forms of Discrimination
against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY OF THE 327th MEETING

Held at Headquarters, New York,
on Monday, 27 January 1997, at 10 a.m.

Chairperson: Ms. KHAN

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The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third and fourth periodic reports of the Philippines
(CEDAW/C/PHI/3 AND CEDAW/C/PHI/4)

1. At the invitation of the Chairpersons, Mr. Mabilangan, Ms. Nicolas and Ms. Feliciano (Philippines) took places at the Committee table.
2. Mr. MABILANGAN (Philippines) said that the ratification by the Philippine Senate of the Convention on the Elimination of All Forms of Discrimination against Women in 1991 was in pursuance of a policy of non-discrimination that was enshrined in the Constitution. The confluence of legislative and administrative measures that had been subsequently adopted and put into operation constituted a measure of the Government's commitment and determination to implement the Convention's provisions nationwide. Thus, following its launching of the Philippine Perspective Plan for Gender-responsive Development, 1995-2025, the Government had, through the General Appropriations Act, especially the 1996 version, required all government departments, offices and agencies to earmark 5 per cent of their 1996 appropriations for projects designed to address gender issues. The Congress had also passed the Women in Development and Nation-building Act, a strategy for empowerment that viewed women as a sine qua non of economic growth and development.
3. His Government supported the proposed optional protocol to the Convention, which would improve and strengthen the Convention.
4. Despite the strong economic performance that was providing the impetus for social progress, especially the advancement of women, much still remained to be done. The Government continued to face considerable challenges in the social sphere following the rapid increase in population growth, widespread poverty and the scarcity of jobs, despite declining unemployment. Consequently, many Filipinos, particularly women, were forced to seek employment overseas, where they fell victim to exploitation and abuse. In that regard, his Government was particularly concerned about women migrant workers because of their vulnerability to violence and trafficking. The Vienna World Conference on Human Rights had also recognized the special importance of promoting and protecting the rights of vulnerable groups including, in particular, women migrant workers. Indeed, the plight of women migrant workers could not be disassociated from the problem of trafficking. Since 1992, his Government had been actively involved in efforts to introduce resolutions concerning violence against women migrant workers and the traffic in women and girls before the Third Committee of the General Assembly, the Commission on the Status of Women and the Commission on Human Rights.
5. Non-governmental organisations had been consulted and had played a vital role in the various initiatives that his Government had taken towards the implementation of the Convention. They had also been allies of the National Commission on the Role of Filipino Women in pressing for changes in the different branches of Government.

6. Ms. NICOLAS (Philippines), introducing the third and fourth periodic reports of the Philippines (CEDAW/C/PHI/1 and CEDAW/C/PHI/4), said that the reports and the answers to the Committee's questions were the product of the collaborative effort of government organizations and non-governmental organizations. She wished to draw the Committee's attention to two recent developments in her country. The first was the passing by the Senate of an anti-rape bill, which was now under consideration by the bicameral committee to harmonize the versions of the Senate and the House of Representatives. By the end of the first quarter of 1997, her country should have an anti-rape law. The second development, consistent with the Committee's General Recommendation No. 17, concerned the meeting by the heads of all government statistical agencies to set up the parameters for research on how to measure and value the unremunerated work of women.

7. In spite of her country's remarkable economic recovery, most women, particularly rural women, bore a disproportionate burden of poverty. That was reflected in the continuing feminization of overseas employment: in 1994, 60 per cent of Filipino workers going abroad were women. Women's poverty remained a continuing concern of her Government. The fact that the National Commission on the Role of Filipino Women had gained access to the Social Reform Council would enable the Commission to champion women's concerns in the framework of the implementation of the Government's anti-poverty strategy. The aim of the social reform agenda was to address the inequitable distribution of economic gains and to devise safety nets for the disadvantaged and vulnerable sectors, including women.

8. Under the 1996 and 1997 General Appropriations Act, government agencies were mandated to allocate 5 per cent of their regular budget for the implementation of gender and development programmes and projects. In 1996, the biggest share, 1.4 billion Philippine pesos, went to direct services and programmes in such areas as women's health, education and credit facilities. The second largest share, 86.4 million Philippine pesos, was spent on research supporting the formulation and review of gender-responsive policies and plans.

9. Her Government had also set aside at least 20 per cent of the national budget for social programmes and services which ultimately benefited women. Already 31 per cent of the 1996 national budget had been allocated to such programmes and services as education, welfare and employment.

10. As far as the situation of Philippine migrant women workers was concerned, although the Government had repeatedly declared that labour migration was not its long-term policy, it had had to take measures that would respond to the pressing needs and problems of workers overseas, especially women. In 1995, the Government had adopted the Magna Carta for Migrant Workers, providing among other things, legal counselling and welfare assistance for returning overseas workers. The Department of Labour was conducting a study on the migration of women workers and the psycho-social impact of such migration on their families. It had also issued a policy to protect female household workers and performing artists deployed overseas. Given the dimension and seriousness of the problem, until the Philippines reached a satisfactory level of economic prosperity, the measures taken to protect the rights of women, especially those in extreme poverty and those working overseas, would be inadequate.

11. Violence against women had posed a serious challenge to the Government. In the absence of a law on domestic violence, a multi-agency task force had issued a presidential directive requesting that measures should be taken to educate the public on the issue of domestic violence and respect for women's rights. The Philippine National Police continued its efforts to establish policewomen's desks in every police station in the country. Over 3,000 cases had been reported to acted upon by such desks in 1996. The foregoing initiatives were based on CEDAW General Recommendation No. 19.

12. Turning to the Philippines commitment to and implementation of the Beijing Platform for Action, she noted that President Ramos had signed Executive Order 273 approving the Philippine Plan for Gender-responsive Development, 1995-2025, and designating it as the main mechanism to implement the Platform for Action. Alternative non-formal education systems and literacy programmes for women and girls in indigenous communities had been implemented. The Department of Health had decided to focus, inter alia, on trying to achieve the highest level of health for women throughout their life cycle and on working for the empowerment of women to exercise their reproductive rights. In 1996, for the first time, a woman had been appointed Secretary of Health. Various lending schemes had been set up to provide women access to loans with no collateral requirement. A career advancement programme for women in government service had been adopted to enhance their capability to break the "glass ceiling" and to advance to decision-making positions. There were also provisions to protect the special needs of girl children in emergency situations.

13. In order to sustain the gains achieved so far in implementing the Platform for Action, the Government needed to ensure that more effective, integrated, regular and comprehensive monitoring and evaluation mechanisms were in place. The National Commission on the Role of Filipino Women hoped that the Committee's experts could help it to develop such mechanisms.

14. In partnership with women's non-governmental organizations, legislators and individual advocates, the National Commission endeavoured to rid the country's laws of discriminatory provisions. The overall picture showed gradual improvements in the status of women in various fields. While women's contributions to the economic upkeep of households had increased, there had been no significant sharing of domestic tasks and responsibilities. An increasing number of women were entering the labour force, but wide gaps remained as far as the conditions of employment and pay of women and men were concerned. While women predominated in the professional and technical fields of the civil service, top positions were generally held by men. Women were reluctant to run for political office, although more and more of them participated in voting. Indeed, all the problems that had been raised in the fourth report were yet to be resolved.

15. She welcomed the Committee's comments on the work of the National Commission, and would share the Committee's assessment and advice with her constituents back home.

16. Responding to questions by the members of the Committee (CEDAW/C/1997/CRP.1/Add.3), she said that four laws of significance to the advancement of women had been passed in 1996, relating to the inclusion of women on party lists, paid paternity leave, protection of migrant workers and

participation of women in dairy-related projects. The National Commission on the Role of Filipino Women had expanded, and had added a division to ensure the gender responsiveness of proposed legislation and a division to monitor implementation of international commitments and national policies on women.

17. The 1990 Republic Act No. 6955, which banned arranged marriages, had resulted in the disappearance of advertisements for commercially arranged marriages with foreign men, although a substantial number still took place. The Government was considering potential loopholes in the legislation. The Government had also taken steps to require women intending to marry foreign nationals to attend counselling.

18. The bill creating the Philippine Commission on Women would expand and strengthen the present National Commission on the Role of Filipino Women. The bill had been passed in the House of Representatives, and was under study in the Senate.

19. Presidential issuances had some limitations compared to laws because they applied only to the executive branch, but they were easier to promulgate and had far-reaching influence on executive agencies and local government.

20. A working group on statistics had completed a set of indicators on the situation of women which would become the basis of a plan to fill in gaps in gender-related statistics. Other efforts included the quantification of housework, and development of a survey on the incidence of violence against women and children.

21. Implementation of laws largely rested with the executive branch of the Government, which was also responsible for monitoring implementation.

22. Under the Philippine Development Plan for Women, programmes had been undertaken to raise awareness, build up enabling mechanisms and develop capabilities among government officials so as to ensure implementation of the plan. The Plan had helped to sharpen the focus of government programmes for women, had led to the opening up of non-traditional areas for skills development and had placed the Government's international commitments and State policies and laws under a unified, coherent framework. Gender mainstreaming had been adopted in support of the Plan.

23. The National Statistics Office study of the treatment of men and women in various sectors had covered the demographic, economic, social and special concerns sectors.

24. The Constitution mandated the equality before the law of men and women. However, there was a need to amend some areas of criminal law, such as the provisions on prostitution. Gaps in the effective application of laws affecting women were often due to basic deficiencies in the substance of the laws. Women's views were now being considered in an effort to close gender-related gaps in legislative proposals.

25. Republic Act No. 6725 provided for the elimination of certain discriminatory practices, such as payment of lesser compensation to women. There was as yet no study on pay equity standards.

26. There was a separation of Church and State under the Constitution, so that the Church was not expected to assist the Government in implementing equality policies and programmes. There were, however, gender-sensitive Church programmes for women.

27. The sectoral ministries established by the Government had been mandated to set up focal points. There were now 72 focal points for women in national and subnational agencies.

28. The National Commission on the Role of Filipino Women had had a budget of roughly US\$ 528,000 in 1995 and US\$ 640,000 in 1997, amounts that were small in comparison with needs. That allocation was expected to increase. Additional funding for some programmes was received from donor agencies.

29. The Convention was well known to women's non-governmental organizations, some of which advocated for it.

30. The Philippine Plan for Gender-responsive Development would serve as the basis for the country's long-term development plan, and had been institutionalized as the main vehicle for implementing the commitments assumed at the Fourth World Conference on Women.

31. The Philippine Commission on Human Rights advocated women's rights through information campaigns, consciousness-training, promotion of institutional mechanisms and legislation, and research.

32. Under Republic Act No. 7192, up to 30 per cent of official development assistance could be earmarked for women's programmes. Increasing allocations had been made over the past four years.

33. Consideration of the semi-annual reports submitted by all government agencies was the responsibility of Congress and the Office of the President, or their authorized agent. In the case of the Office of the President, that was the National Commission on the Role of Filipino Women.

34. In 1995 the total women's budget allocation had been 990 million Philippine pesos. The allocation had been used for women-specific programmes and projects, establishment of institutional mechanisms, and policy research and review.

35. Specific acts had been adopted containing affirmative measures to increase the participation of women in the executive and legislative branches of Government.

36. The Family Code provided that management of the household was a joint responsibility of husband and wife. While no study had been conducted, observation suggested that more men now shared in parenting and household responsibilities, although women continued to bear the primary responsibility.

37. The bill on sexual harassment had become law in February 1995, and rape had been made a heinous crime under Republic Act No. 7659.

38. Government and non-government agencies were conducting information activities to raise public awareness so as to prevent crimes and violence.

against women. Police officers, judges and prosecutors received gender-sensitization training.

39. There was as yet no comprehensive database on the incidence of violence against women, partly because of underreporting and partly because agencies receiving complaints could not effectively address them owing to limited resources and understanding of the problem. Some data were, however, available from the Department of Social Welfare and Development.

40. Incest was the least reported but a frequently committed form of violence. The law provided that prosecutions were possible only on the filing of complaints by victims, and in practice pursuit of incest cases was problematic.

41. Violence had long-term consequences for women and family members, with children sometimes becoming runaways. A cultural atmosphere demeaning to women denied the Philippines the full talents of its women. Community traditions and attitudes resulted in indifference and silence in the case of violence against women, although that silence was now being broken. The Government was seeking to sensitize society and to enact and enforce protective laws.

42. Criteria had been developed by the Government to rid textbooks of gender stereotypes, and training was being provided in the use of gender-neutral instructional materials. Training institutions had expressed a willingness to integrate gender concerns into their curricula.

43. Senate Bill No. 541 was still under study.

44. Non-governmental organizations worked with local officials with regard to local ordinances affecting girls and women. Several organizations were involved with issues such as the human rights of prostitutes, child prostitution and migrant workers. The legislation on prostitution and traffic in women was under review. Prostitution was punishable under the Penal Code.

45. The "hospitality industry" had been used by the former Government to cater to tourists and United States military personnel. Many related establishments, fronts for prostitution, had been summarily closed. Current debate on prostitution centered on the need to penalize traffickers and customers rather than women, since prostitution was an institutionalized form of violence against women.

46. Five Senate Committees, on labour, women and family relations, foreign affairs, constitutional amendments and justice and human rights, were considering the plight of Philippine domestic workers and entertainers abroad.

47. The elimination of all sexually exploitative practices and of all violence against women was a strategic goal. Legal and criminal sanctions, however, were not enough, and poverty alleviation measures were also required. The demand side of prostitution and trafficking must also be dealt with. Studies indicated that poverty, unemployment and a lack of education or skills drove women into prostitution. Since organized crime syndicates were involved, both national and international approaches were required. The Philippines was a signatory to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. A pilot study on traffic in women between the

Philippine and Belgian Governments was now under way with a view to devising policy recommendations.

48. Measures were being taken for the well-being of women formerly working as entertainers at United States bases. The dismantling of the bases had led to a drastic decline in registered entertainers. Skills training and assistance were being provided to women and children infected with the human immunodeficiency virus (HIV).

49. The incidence of child sexual abuse was rising, in response to which the Government was amending the legislation to combat paedophilia. Cooperation was being undertaken with the German and Netherlands Governments to ensure the prosecution of paedophiles from those countries. Victims were usually placed under protective custody in special centres. Village councils were being organized to identify conditions that might lead to neglect and abuse of children. Law enforcement agencies were seeking to apprehend paedophiles.

50. House Bill No. 2037 on pornography was still under study. Sex tours were banned under the tourism master plan, and the Department of Tourism was acting to enforce regulations. There was still, however, a lack of sensitization among local government units.

51. The representation of women on local councils was low, ranging from 10.7 per cent on city councils to 11.4 per cent on municipal councils.

52. Thirteen government agencies had established desks to hasten the promotion of women, and a directory of candidates for senior positions was being developed. There was minimal representation of women in elective posts, so that, for example, only 17 per cent of Senators were women. There had been no great improvement in the appointment of women at the Cabinet level. Among police officers, most women were on the lowest rung of the hierarchy.

53. Women's non-governmental organizations had been active in training women in elective posts in terms of gender-related problems and strategies to follow once elected.

54. Civil Service Commission data indicated that 30 cases of gender discrimination had been filed with it.

55. The State encouraged the participation of non-governmental organizations in State undertakings and local governments, and they were provided with seats in government decision-making bodies. Women's groups had increased in number from 900 in 1992 to 4,640 in 1996. The President actively championed the promotion of women to decision-making positions. Women legislators generally supported the advancement of women's concerns in the legislature, and many were active advocates of women's projects.

56. Briefings and orientation on gender awareness for publicly elected officials were being conducted by government agencies and non-governmental organizations. Gender concerns were being institutionalized in the training programme for local executives offered by the Local Development Agency. Moreover, policy-oriented materials were also being developed and disseminated to elected officials by the National Commission on the Role of Filipino Women to

provide an understanding of gender/women's issues. Women's interests had not yet been integrated into the platforms of most political parties. However, respect for and recognition of women as an electoral "force" was growing, as evidenced by the creation of committees to focus specifically on the female electorate during the recent presidential election. There had been no women's political parties in the 1995 elections.

57. The number of women in the Philippine Military Academy had increased, with the first group of 15 female cadets entering the Academy in 1993 and another 17 entering in 1994. Women had a role in the peace process and were represented in peace negotiations, although only one woman had been appointed to the Government panel negotiating a peace settlement with major rebel groups. A woman had been appointed as executive director of the Office of the Presidential Advisor on the Peace Process. Women were also represented in a coalition of political and citizen's groups formed in 1987 to contribute to the negotiating process, and women had been asserting demands at the grass-roots level for formal recognition in the peace pact system and the process of delineating ancestral domains.

58. The Constitution ensured fundamental equality between women and men in acquiring, changing or retaining their nationality and that of their children. There was no marked difference in the educational status of women and men; slightly more women than men had never attended school, roughly equal proportions of men and women were obtaining elementary and high-school educations, and more women than men were reaching and completing the university level. Trends in women's education were improving, but there were still problems such as gender tracking, disproportionate representation in decision-making, the provision of preferential educational opportunities to boys and the multiple burdens placed on girl children. Statistical data were available on education and other issues in the text of Filipino Women: Issues and Trends and in "Filipino Women: Facts and Figures", both of which had been distributed to the members of the Committee.

59. A recent study conducted by the Women's Studies Consortium of the Philippines of its 43 affiliated State and private colleges and universities had revealed that members were enhancing their understanding of gender issues as a result of seminars conducted by the Consortium. Members had also initiated the integration of gender perspective into their courses and into academic programmes, curriculum research and community outreach work.

60. Gender-disaggregated data were available for general demographic, social and economic analysis factors but were as yet unavailable regarding women entrepreneurs and workers in the informal sector, the national incidence of violence against women, women's contribution to the economy, women prostitutes, income by sex, or a range of indicators at the provincial, city or municipality levels. That lack of information was primarily due to limitations in financial resources, but efforts to improve the availability of gender-based statistics were continuing.

61. Ms. FELICIANO (Philippines) said that reforms in the educational system were being pursued to enhance gender-sensitivity and eliminate sex biases and stereotyping in textbooks and instructional materials. Gender-neutral core messages and training manuals had been developed for integration into subjects required at all grade levels, but no data were as yet available on the

"assessment of materials" referred to in the fourth periodic report of the Philippines (CEDAW/C/PHI/4). Women were not equitably represented at higher levels of school management, despite their overwhelming majority in the teaching profession as a whole. That disparity could be addressed by the use of merit points for promotion and government scholarship awards.

62. No statistics or impact assessments were as yet available on the Plan of Action for All (1991-2000) or the Philippine Plan for Gender-responsive Development (1995-2025). The female literacy programme in the provinces of Maguindanao, Lanao del Sur, Sulu, Basila, Tawi-Tawi and Ifugao had enrolled 15,000 illiterate women, or 12 per cent of the targeted illiterate female population in those provinces. A pilot literacy programme for women had been set up in the fishing villages north of Manila, and non-formal education programmes had been conducted for fishermen. Literacy programmes for the disadvantaged also existed, focusing on teacher training and alternative education delivery schemes for cultural communities. Career-development initiatives for women included career counselling, training in better-paying jobs, and coaching and mentoring.

63. Ms. NICOLAS (Philippines) said that 60 per cent of Filipinos working overseas were women, and referred members of the Committee to Fact Sheet No. 3 "Women and employment". The Government had negotiated some bilateral labour agreements with other countries to secure better terms for women migrant workers, and a number of ministries had signed a "Declaration of Commitment" to stamp out illegal recruitment and provide better protection for overseas Filipino workers.

64. The Assistance to Nationals Task Force had prepared orientation manuals and conducted skills enhancement seminars for personnel of Philippine embassies and consulates. Numerous victims of illegal recruitment were being assisted, and many establishments engaged in illegal recruitment had been shut down. Moreover, the Department of Foreign Affairs was training its officers in gender awareness and the basic human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women.

65. The Civil Service Commission had issued a memorandum granting married women 60 days of maternity leave with full pay. The Department of Labour and Employment was undertaking a continuous campaign of information and advocacy to effectively implement the principle of equal pay for equal work. In order to deal with the undervaluation of women's work, that Department had also conducted an occupational wage survey in all private-sector non-agricultural establishments employing 10 or more workers. A survey of labour conditions in the free-trade zones was also in progress and was expected to provide recommendations for improving monetary and working benefits for workers in those zones. Laws had been passed to increase maternity benefits in the private sector, increase the minimum wage of house-helpers and provide social security benefits to those earning at least 1,000 Philippine pesos per month, and grant seven full days of paternity leave with pay to all married male employees. No data on the impact of those laws were available.

66. The Department of Social Welfare and Development maintained a regular day-care centre evaluation programme, and had recently proposed that national government agencies and Government-owned or controlled corporations should

provide day-care services to their employees' children under the age of five. The Department of Labour and Employment was carrying out programmes to support women in the areas of self-employment, entrepreneurship and cooperative endeavour, and to enhance the capabilities of rural workers, including women; Government banks were also making collateral-free loans available to women. Women were continuing to be consigned to the reproductive sphere, even as growing numbers of them joined the labour force. Their work at home remained unpaid and did not contribute to eligibility for retirement or other work-related benefits. However, the Philippines had recognized the value of housework at least insofar as providing that spouses who engaged in full-time housework might be eligible for social security.

67. The right of women to return to the same employment after maternity leave, the rights to promotion and advancement, and the right to retain social security benefits all applied equally to women in the free-trade zones. The constitutionally-guaranteed right to self-organization also applied to women in those zones.

68. Women remained under represented in union leadership; the Department of Labour and Employment was offering a training programme for women in trade unions, focusing on negotiation skills, leadership and communication skills, management and gender sensitivity. The capacity of the Department of Labour and Employment to enforce labour standards for homeworkers was clearly mandated in the Labour Code.

69. Since the passage of the Anti-Sexual Harassment Act of 1995, six complaints had been recorded. Two cases were pending before the grievance committee of the Civil Service Commission, three offenders had been dismissed from service, and one had been suspended from work. A Supreme Court judge had also been dismissed for harassment of a clerk. However, only one case involving the illegal dismissal of the perpetrator had been filed before the National Labour Relations Commission and affirmed by the Supreme Court.

70. In order to increase awareness of labour laws among women workers and employers, the Department of Labour and Employment was implementing a labour education programme and was disseminating informational materials on the provisions of labour laws. The Trade Union Congress of the Philippines was also implementing programmes to increase workers' and employers' awareness of labour laws. The Civil Service Commission had made flexible working hours applicable to both women and men. No formal study had been conducted on that policy, but the experience of many government workers indicated that it had helped women organize their career and family commitments with greater flexibility.

71. Women represented the majority among migrant workers owing to a lack of domestic employment opportunities, particularly in rural areas. While no assessment had been made of the project to establish a database on women migrant workers focusing on women domestic helpers, it had clearly contributed to improvements in the data system of the Philippines Overseas Employment Administration, and consequently to the quality of that agency's ability to assess information and make recommendations to policy makers. To address the growing needs of women who migrated elsewhere to work, the Government was endeavouring to create local jobs that gave women the option to stay, and assisting them with services should they choose to work abroad. Non-farm

industries were being developed, particularly micro- and small industries, along with entrepreneurship development programmes for rural areas. Community training centres had also been established to expand the access of the rural work force to programmes and services designed to promote their employability and productivity. Another significant source of jobs in the countryside was subcontracting to homeworkers.

72. The number of HIV-infected females was increasing, but as of November 1996 the majority of HIV-positive individuals were males, and the majority of cases were individuals aged 49 or below. During the 12-year period preceding the report, 11 cases had been perinatally transmitted. The Government was implementing preventive and remedial programmes and raising public awareness through a variety of measures. The draft bills referred to in paragraphs 17.1 to 17.6 of the section on article 12 in the third report (CEDAW/C/PHI/3) had not been passed. The Government was cooperating with numerous non-governmental organizations that were actively working on issues of family planning, reproductive health and HIV/AIDS.

73. Major achievements of the 1988 Action Plan of Philippine Parliamentarians on Population and Development were passage of the local Government Code of 1991, reduction of the population growth rate in the Philippines, rationalization of the population programme, transformation of family planning into a health issue, passage of new investment laws and provision of a venue for non-governmental organizations and civil society to participate in governance and in shaping Government policy through the social reform agenda.

74. Statistics on abortion were scarce and limited because it was illegal in the Philippines; a 1993 study conducted among 1,169 women in Manila revealed an abortion prevalence rate of 16.6 per cent. The policy of empowerment of women to exercise their reproductive rights was the recognition of the freedom of women and men to choose the size of their families and to practise family planning. All individuals should be provided equal access to information, services and guidance in planning their families.

75. No Government data were available on training programmes to improve the services provided by traditional midwives, but some non-governmental organizations had begun training programmes and dialogues with traditional midwives. While the social sector allocation of 128.8 billion Philippine pesos comprised the largest share (31 per cent) of the 1996 government budget, no information was available on the budget for health services in rural areas.

76. Cases of substance abuse were found among women of all ages but were highest among the 15- to 19-year-old age group. Official reports of women substance abusers had increased between 1990 and 1993. The Government was engaged in providing preventive education to different population groups, and was also conducting research studies on drug abuse. The Committee was referred to Fact Sheet No. 6, "Women and Health". Social security coverage had been extended to domestic workers and persons earning at least 1,000 Philippine pesos per month in the informal sector. Implementors of the 1991 Livelihood Revolving Fund for Women had previously reported a 90 to 95 per cent repayment rate; however, updated information on the Fund was not yet available.

77. Ms. FELICIANO (Philippines) said that the Presidential Commission to Fight Poverty had been asked to monitor progress in the implementation of Government anti-poverty programmes and was focusing on the Minimum Basic Needs Indicator, which did not include gender-disaggregated data at the time of the report. However, in view of State's intention to pursue a gender-responsive poverty-alleviation strategy, some efforts had been initiated to make the Indicator more gender-responsive.

78. The laws described in paragraphs 17 and 18 of the fourth report (CEDAW/C/PHI/4) were still new at the time of the report, so their impact on women was difficult to measure. However, it was known that 67 per cent of the 97,766 beneficiaries of a law providing assistance to micro- and cottage enterprises were women. The equal rights of women to own land, to share in farm production and to be represented on advisory bodies were explicitly guaranteed under the Agrarian Reform Law. The Department of Agrarian Reform also continued to reform its administrative policies and guidelines to ensure the fulfillment of the laws's intent. However, figures showed that the Government still had much to do; for example, less than 3 per cent of the approximately 13.5 million hectares of land distributed under the agrarian reform programme were owned by women.

79. Water sanitation facilities under the World Bank's first rural water supply and sanitation project had benefited over 200,000 households in rural communities. Nevertheless, the project was seen as already having greatly eased women's traditional burden of procuring water.

80. Structural adjustment programmes had contributed to a robust economy in 1996 and to the lowering of inflation. There were indications, however, that rural women workers had been adversely affected in the short term. The Government recognized that trade liberalization in itself would not bring about equality and economic development, and it had therefore formulated safeguard mechanisms to cushion the adverse impact of that process. The pace and extent of the reform of agricultural trade policies, for example, had been harmonized with the sector's ability to cope with the challenges of a more open trade regime. The challenge was now to determine the other areas in which women were adversely impacted and to provide them with adequate support, including alternative economic opportunities.

81. On the question of the impact of imported agricultural products on the economic status of women in the agricultural sector, the Government, as a signatory to the General Agreement on Tariffs and Trade (GATT) and a member of the World Trade Organization (WTO), was committed to granting international access to its domestic market and to the reduction of domestic and export subsidies. As producers, women farmers stood to benefit from trade liberalization, which would bring cheaper inputs and better technology, thereby resulting in lower production costs and improved quality of output. International competition, moreover, would force local industries to become more efficient and competitive.

82. As for the right of women to own land, the Family Code and Republic Act 7192 provided for the right of women to own property and to contract employment and credit without their husband's consent. The provisions of the Labour Code were uniformly applied to men and women in agribusinesses. The

Department of Labour and Employment was empowered to investigate complaints about alleged violations of the labour laws in the agricultural sector.

83. With regard to the comparative literacy levels of rural and urban women, rural women had a lower level of literacy, although a steady increase in the literacy rate had been recorded between 1989 and 1994 for both rural and urban women.

84. Women constituted almost half of all agricultural workers. Of that number, 57 per cent were unpaid family workers, 26 per cent own-account workers and 17 per cent wage-earners. The initial results of a special study being done by the Agricultural Training Institute indicated that there were 1,765 women extension workers.

85. Obstacles to the application of article 15 included the conflict between section 5 of Republic Act No. 7192, which provided that married women should have equal rights and thus the capacity to borrow and enter into credit arrangements under the same conditions as men, and article 106 of the Family Code, which stipulated that each spouse's right to conjugal property during marriage was inchoate and ripened into title only upon the dissolution of the marriage. The Family Code also espoused the concept of community property. In cases of disagreement over the administration or enjoyment of such property, the husband's decision prevailed, subject to recourse to the court by the wife. Married women could therefore dispose of or encumber only their own exclusive property, and that was precisely why banks were reluctant to grant loans that relied on the encumbrance of conjugal property without the spouse's consent.

86. As for the results of the initiatives contained in the Women in Development and Nation-building Act, 72 national and subnational focal points had been established, most of which undertook various projects on the mainstreaming of gender concerns in their agency's mechanisms. Other results of the Act had been that the first woman Brigadier-General had been appointed in 1993 to the Philippine National Police; that full-time homeworkers could avail themselves of social security through their working spouses; that government lending institutions were providing loans for rural women, which were repayable in five years with minimal interest and no collateral; and that wives were being issued passports in their own right.

87. Responding to questions raised under article 16, she said that, under the Family Code, either spouse could exercise any legitimate occupation without the consent of the other; administration and enjoyment of community property belonged jointly to both spouses, although the husband's decision would prevail in cases of disagreement; either spouse could dispose by will of his or her interest in the community property; either spouse could make, without the consent of the other, moderate donations from the community property for purposes of charity or on occasions of family celebrations or family distress; where a wife was abandoned by the husband or the latter failed to comply with his obligations to the family, the wife could petition the court for receivership, judicial separation of property or for the authority to be the sole administrator of the community property. The Code also provided for, inter alia, determination of the family domicile, support of the family, management of the household, exercise of parental authority and the rights of women outside marriage with respect to their property.

88. The evaluation of the marriage and family relations laws described in the second periodic report formed part of the Government's efforts to review discriminatory legislation. The Family Code was being amended, for example, to provide for judicial intervention in cases of disagreement between husband and wife over the administrative enjoyment of their conjugal partnership in properties and the exercise of joint parental authority and legal guardianship over the property of unemancipated common children.

89. Current housing policies did not discriminate against women, although the tediousness of the application process worked against them. The National Housing Authority encouraged applicants who were common-law wives to register as the beneficiaries of the housing benefit in order to protect themselves financially, should the relationship end.

90. Conflicts relating to child custody and the family were resolved by the court. In cases involving children, the best interest of the child prevailed. To date, no bill had been filed in Congress to amend article 16 of the Civil Code, which provided for the annulment of a marriage if the wife became pregnant by a man other than her husband but was silent about the case of a man who impregnated a woman not his wife.

91. Article 29 of the Civil Code provided that a married woman 21 years of age or over was qualified for all acts of civil life, except in cases specified by law. Those cases were insanity or imbecility, prodigality and civil interdiction, the latter of which deprived the offender during the time of the sentence of various rights, including the right of parental authority or guardianship, the right to marital authority and the right to manage or dispose of his or her property.

92. With respect to adultery, legislation had been introduced to accord equal rights to wives and husbands by stating that sexual infidelity on the part of either spouse was a ground for legal separation. The legislation would further amend the use of the term "concubinage" to "maintaining a paramour". As to why some Philippine women were unable to avail themselves of Muslim law, it must be remembered that only Muslims were covered by the Code of Muslim Personal Laws, and not all Philippine women were Muslims.

93. On the subject of the education of women about their rights, she said that non-governmental organizations, including the Women's Legal Bureau and the Legal Resources Centre had legal training modules. In addition, alternative law groups and human rights groups were increasingly integrating women's issues into their training programmes. While no bill on divorce was pending, the Family Code provided an alternative to divorce in that one of the grounds for the declaration of the nullity of a marriage was the psychological incapacity to fulfil the essential marital obligations. After a woman separated from her husband, she was entitled to live separately from him, but the marriage bonds were not severed. However, since the right to cohabit or live together had ceased, the husband could not insist on having sexual intercourse with his wife.

94. With regard to the Church's influence in preventing the passage of the divorce law and the widespread use of contraceptives, as well as in foiling efforts to decriminalize abortion, she said that the Church had been able to prevent the passage of the divorce law because a majority of legislators were

Catholic. The provisions of the Revised Population Act of 1971 implied the repeal of Republic Act No. 4729, under which the sale or distribution of contraceptives had been unlawful. On the other hand, abortion constituted a class of felony under the Revised Penal Code, and that policy was supported by the 1987 Constitution, which protected the unborn from the moment of conception, thereby removing the possibility of any future law allowing abortion.

95. Information on the follow-up to the commitments given by the Government of the Philippines at the Fourth World Conference on Women was contained in the information kits which had been made available to the experts. Specifically, with regard to the girl child, measures had been adopted to address the special needs of girls in emergency situations, such as armed conflict and situations of sexual abuse. Child-friendly procedures for police investigations had been adopted, and trial judges had been enjoined to act with dispatch on all cases involving children.

96. Ms. GONZÁLEZ MARTÍNEZ, while commending the delegation of the Philippines for responding to the many questions posed by the Committee, said that the timely submission of the fourth periodic report might have obviated the need for so many questions to be raised in the first place. She acknowledged the progress which had been made in efforts to eliminate discrimination against women in the Philippines, although much more needed to be done to increase public awareness of the role of women in society and to address the problems of the subordination of women, especially within the family, violence against women and girls, and the related problems of prostitution and trafficking in persons. The international community was well aware of the action taken by the Philippines to protect the rights of migrant workers and to punish the trafficking in persons. Political will was needed, however, at the legislative level to effectively combat that scourge.

The meeting rose at 1 p.m.